IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	
MUHAMMAD NASIR SIDDIQI	Case No. 19-42834 Chapter 7
Debtor	

MOTION TO SHOW CAUSE WHY THE DEBTOR SHOULD NOT BE HELD IN CONTEMPT OR SANCTIONED

YOUR RIGHTS MAY BE AFFECTED BY THE RELIEF SOUGHT IN THIS PLEADING. YOU SHOULD READ THIS PLEADING CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. IF YOU OPPOSE THE RELIEF SOUGHT BY THIS PLEADING, YOU MUST FILE A WRITTEN OBJECTION, EXPLAINING THE FACTUAL AND/OR LEGAL BASIS FOR OPPOSING THE RELIEF.

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING <u>WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE</u> SHOWN IN THE CERTIFICATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING WITH APPROPRIATE NOTICE. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW Mark A Weisbart, the duly appointed Chapter 7 Trustee ("Trustee") for the bankruptcy estate of Muhammad Nasir Siddiqi, files this Motion to Show Cause Why the Debtor Should Not Be Held in Contempt or Sanctioned (the "Motion") pursuant to 11 U.S.C. §§ 105(a). In support of this Motion, the Trustee would respectfully show the Court as follows:

I. FACTUAL AND PROCEDURAL BACKGROUND

- 1. On October 16, 2019 (the "Petition Date"), Muhammad Nasir Siddiqi ("Debtor") filed a voluntary petition for relief under Chapter 7 of title 11 of the United States Code (the "Bankruptcy Code".)
- 2. Thereafter, Trustee was appointed as the interim chapter 7 Trustee for the Debtor's bankruptcy estate pursuant to 11 U.S.C. § 701, who has since become the permanent trustee in accordance with 11 U.S.C. § 702(d).

- 3. On October 16, 2019, Debtor filed his petition for relief and his schedules of assets. A copy of Debtor's Schedules A/B and C are attached hereto as Exhibit "A".
- 4. Trustee objected to Debtor's exemptions and on September 28, 2020 an agreed order regarding Trustee's objection was entered by the Court [Dkt #64] (the "Agreed Order"). A copy of the Agreed Order is attached hereto as Exhibit "B".
- 5. The Agreed Order required Debtor to amend his Schedules and turn over his non-exempt vehicles, both which he failed to do. In particular, Debtor scheduled two "Ford Tahoes" claiming one of them as exempt. Notwithstanding, the fact that Ford does not make a Tahoe, Debtor should have turned over the non-exempt Tahoe to Trustee, together with the title months ago.
- 6. Trustee therefore requests a hearing to show cause why Debtor should not be held in contempt, including turnover of the non-exempt "Tahoe", monetary sanctions for loss of value since entry of the agreed exemption order, and imprisonment, if necessary.

II. REQUESTED RELIEF

- 7. The 11 U.S.C. § 105(a) provides that the Court may enter any order that is necessary or appropriate to carry out the provisions of Title 11.
- 8. In light of the Debtor's failure and refusal to comply with the Agreed Order, the Trustee requests that the Court enter setting a hearing to show cause why the Debtor should not be held in contempt.

III. PRAYER

WHEREFORE, Trustee prays that the Court enter an Order granting the relief requested and granting Trustee such other and further relief to which he is justly entitled.

Respectfully Submitted,

/s/ Mark A Weisbart
Mark A Weisbart
Texas Bar No. 21102650
THE LAW OFFICE OF MARK A. WEISBART
12770 Coit Road, Suite 541
Dallas, TX 75251
(972) 628-4903 Phone
mark@weisbartlaw.net

COUNSEL FOR CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served on the parties on the attached mailing list in accordance with LBR 9013(f) either through the Court's electronic notification system as permitted by Appendix 5005 III. E. to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas, or by first class United States Mail, postage prepaid on this the 3rd day of September 2021.

/s/ Mark A Weisbart
Mark A Weisbart

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DCDIOI I		Nasir Siddigi					
F	First Name		e Name	Last Name			
Debtor 2							
(Spouse, if filing) F	First Name	Middle	e Name	Last Name			
Jnited States Bankru	ptcy Court for	the: EASTERN	DISTRI	CT OF TEXAS			
Case number 19-4	12834						Check if this is ar amended filing
Official Form	106A/B	3					
Schedule A	A/B: Pr	operty					12/15
nformation. If more spa nswer every question.	ace is needed, a	attach a separate si	heet to ti	married people are filing together, both are nis form. On the top of any additional pages Estate You Own or Have an Interest In			
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Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on Schedule G: Executory Contracts and Unexpired Leases.

Official Form 106A/B

Schedule A/B: Property

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Model: Tahoe Year: 2016 Approximate mileage: 20000 Other information: Debtor 1 and Debtor 2 only Debtor 1 and Debtor 2 only At least one of the debtors and another		Muhammad Nasir Siddiqi		Case number (if known) 19	-42834
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Official Form 106A/B

Schedule A/B: Property

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Case 19-42834 Doc 14 Filed 11/08/19 Entered 11/08/19 10:06:25 Desc Main Document Page 5 of 57 Debtor 1 Muhammad Nasir Siddigi Case number (if known) 19-42834 6. Household goods and furnishings Examples: Major appliances, furniture, linens, china, kitchenware ☐ No Yes. Describe..... sofa, tables, beds, dressers, chairs, rugs, televisions, etc \$10,000.00 7. Electronics Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games ■ No ☐ Yes. Describe..... 8. Collectibles of value Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles ■ No ☐ Yes. Describe.... 9. Equipment for sports and hobbies Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments ■ No ☐ Yes. Describe..... 10. Firearms Examples: Pistols, rifles, shotguns, ammunition, and related equipment ☐ No Yes. Describe..... \$400.00 1 pistol 11. Clothes Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories ☐ No Yes. Describe..... \$1,000.00 clothes Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver ☐ No Yes. Describe..... \$10,000.00 watch, wifes jewelry 13. Non-farm animals Examples: Dogs, cats, birds, horses ■ No ☐ Yes. Describe..... 14. Any other personal and household items you did not already list, including any health aids you did not list ■ No ☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$21,400.00

Official Form 106A/B

Schedule A/B: Property

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De	btor 1 Muhammad Na	asir Siddiqi		Case number (if known)	19-42834
	t 4: Describe Your Financia you own or have any leg		in any of the following?		Current value of the portion you own? Do not deduct secured claims or exemptions.
	Cash Examples: Money you ha No □ Yes		home, in a safe deposit box, and on hand	when you file your petition	on
	institutions. If		ccounts; certificates of deposit; shares in cr nts with the same institution, list each.	redit unions, brokerage h	nouses, and other similar
	□ No ■ Yes		Institution name:		
		17.1.	Chase bank - frozen		Unknown
		17.2.	Texans Credit Union		\$300.00
		17.3.	Chase Accounts -wifes		\$300.00
	joint venture □ No ■ Yes. Give specific inform	mation about them Name of entity:		% of ownership:	
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21.	Negotiable instruments in	clude personal checks, ots are those you canno	egotiable and non-negotiable instrument cashiers' checks, promissory notes, and mo transfer to someone by signing or deliverin	oney orders.	
	Retirement or pension as Examples: Interests in IRA No Yes. List each account s	A, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other p	ension or profit-sharing	plans
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Exhibit "A"

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Case 19-42834 Doc 14 Filed 11/08/19 Entered 11/08/19 10:06:25 Desc Main Document Debtor 1 Muhammad Nasir Siddigi Case number (if known) 19-42834 24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program. 26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1). ■ No Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c): ☐ Yes..... 25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit ■ No ☐ Yes. Give specific information about them... 26. Patents, copyrights, trademarks, trade secrets, and other intellectual property Examples: Internet domain names, websites, proceeds from royalties and licensing agreements ☐ Yes. Give specific information about them... 27. Licenses, franchises, and other general intangibles Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses ☐ Yes. Give specific information about them... Money or property owed to you? Current value of the portion you own? Do not deduct secured claims or exemptions. 28. Tax refunds owed to you ■ No ☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years...... 29. Family support Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement ☐ Yes. Give specific information..... 30. Other amounts someone owes you Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else ■ No ☐ Yes. Give specific information.. 31. Interests in insurance policies Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance ■ No ☐ Yes. Name the insurance company of each policy and list its value. Company name: Beneficiary: Surrender or refund value: 32. Any interest in property that is due you from someone who has died If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died. ■ No ☐ Yes. Give specific information.. 33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment Examples: Accidents, employment disputes, insurance claims, or rights to sue ■ No ☐ Yes. Describe each claim....... 34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims ■ No ☐ Yes. Describe each claim.......

Official Form 106A/B Schedule A/B: Property page 5

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Case 19-42834 Doc 14 Filed 11/08/19 Entered 11/08/19 10:06:25 Desc Main Document Debtor 1 Muhammad Nasir Siddigi Case number (if known) 19-42834 35. Any financial assets you did not already list ■ No ☐ Yes. Give specific information.. 36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached \$600.00 for Part 4. Write that number here..... Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1. 37. Do you own or have any legal or equitable interest in any business-related property? No. Go to Part 6. ☐ Yes. Go to line 38. Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In. If you own or have an interest in farmland, list it in Part 1. 46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property? No. Go to Part 7. ☐ Yes. Go to line 47. Describe All Property You Own or Have an Interest in That You Did Not List Above 53. Do you have other property of any kind you did not already list? Examples: Season tickets, country club membership ☐ Yes. Give specific information....... 54. Add the dollar value of all of your entries from Part 7. Write that number here \$0.00 Part 8: List the Totals of Each Part of this Form 55. Part 1: Total real estate, line 2 \$735,000.00 56. Part 2: Total vehicles, line 5 \$160,000.00 57. Part 3: Total personal and household items, line 15 \$21,400.00 58. Part 4: Total financial assets, line 36 \$600.00 59. Part 5: Total business-related property, line 45 \$0.00 60. Part 6: Total farm- and fishing-related property, line 52 \$0.00 61. Part 7: Total other property not listed, line 54 \$0.00 62. Total personal property. Add lines 56 through 61... \$182,000.00 Copy personal property total \$182,000.00 63. Total of all property on Schedule A/B. Add line 55 + line 62 \$917,000.00

Official Form 106A/B Schedule A/B: Property page 6

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Fill in this infor	rmation to identify your	case:		
Debtor 1	Muhammad Nasii	Siddiqi		
	First Name	Middle Name	Last Name	
Debtor 2				
(Spouse if, filing)	First Name	Middle Name	Last Name	
United States Ba	ankruptcy Court for the:	EASTERN DISTRICT O	OF TEXAS	
Case number	19-42834			
(if known)	10 1200 1			☐ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/19

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1.	Which set of exemptions are you claiming	g? Ch	eck one on	ly, even if	your spouse	is filing with	ı you.
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- You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on Schedule A/B that you claim as exempt, fill in the information below.

Brief description of the property and line on Schedule A/B that lists this property			Specific laws that allow exemption		
	Copy the value from Schedule A/B	Che	ck only one box for each exemption.		
6701 Haven Hurst Allen, TX 75002 Collin County	\$735,000.00		\$0.00	Tex. Const. art. XVI, §§ 50, 51, Tex. Prop. Code §§	
Line from Schedule A/B: 1.1			100% of fair market value, up to any applicable statutory limit	41.001002	
2016 Ford Tahoe 20000 miles Line from Schedule A/B: 3.1	\$20,000.00		\$1,000.00	Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(9)	
Ellie Hoff Golfeddie Arb. 9.1			100% of fair market value, up to any applicable statutory limit		
sofa, tables, beds, dressers, chairs, rugs, televisions, etc	\$10,000.00		\$10,000.00	Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(1)	
Line from Schedule A/B: 6.1			100% of fair market value, up to any applicable statutory limit		
1 pistol Line from Schedule A/B: 10.1	\$400.00		\$400.00	Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(7)	
Ellio II oli			100% of fair market value, up to any applicable statutory limit	12.00 ((4)(1))	
clothes Line from Schedule A/B: 11.1	\$1,000.00		\$1,000.00	Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(5)	
Ellio Holli Gollodalo 77D. TT.T			100% of fair market value, up to any applicable statutory limit	72.00 ((a)(1), (2), 72.002(a)(0)	

Official Form 106C

Schedule C: The Property You Claim as Exempt

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Best Case Bankruptcy

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Page 10 of 57 Debtor 1 Muhammad Nasir Siddiqi 19-42834 Case number (if known) Brief description of the property and line on Current value of the Amount of the exemption you claim Specific laws that allow exemption Schedule A/B that lists this property portion you own Copy the value from Check only one box for each exemption. Schedule A/B watch, wifes jewelry Tex. Prop. Code §§ \$10,000.00 \$10,000.00 Line from Schedule A/B: 12.1 42.001(a)(1), (2), 42.002(a)(6) 100% of fair market value, up to any applicable statutory limit 3. Are you claiming a homestead exemption of more than \$170,350? (Subject to adjustment on 4/01/22 and every 3 years after that for cases filed on or after the date of adjustment.) ■ No ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case? Yes

Official Form 106C

Schedule C: The Property You Claim as Exempt

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IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	
	Case No. 19-42834
MUHAMMAD NASIR SIDDIQI	Chapter 7

Debtor

AGREED ORDER REGARDING TRUSTEE'S OBJECTION TO EXEMPTIONS

ON this day, came on for consideration, the Trustee's Objection to Exemptions (the "Objection") filed by Mark A. Weisbart, the duly appointed Chapter 7 Trustee ("Trustee") for the estate of Muhammad Nasir Siddiqi ("Debtor"). The Court finds that an agreement has been reached by the Trustee and the Debtor, the terms which are contained herein; accordingly, it is hereby

ORDERED that Debtor shall amend his Schedules B and C to indicate the correct description of the vehicles, including make, model and VIN# of each such vehicle, and which vehicle Debtor is claiming as exempt pursuant to Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(9); it is further

ORDERED that Debtor shall turn over the vehicle(s) which he is not claiming as exempt to the Trustee, together with their respective titles; it is further

ORDERED that Debtor shall amend his Schedules B and C to include a detailed list of "sofa, tables, beds, dressers, chairs, rugs, televisions, etc" claimed as exempt under Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(1); it is further

ORDERED that Debtor shall amend his Schedules B and C to include a detailed list of "watch, wifes jewelry" claimed as exempt under Tex. Prop. Code §§ 42.001(a)(1), (2), 42.002(a)(6); it is further

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ORDERED that the Debtor shall amend his exemptions and turn over the non-exempt vehicle(s) to the Trustee, as required herein, within 10 days entry of this Order.

IT IS SO ORDERED.

Signed on 9/28/2020

Brenda T. Rhoades HONORABLE BRENDA T. RHOADES, UNITED STATES BANKRUPTCY JUDGE

SR

AGREED:

/s/ Mark A. Weisbart Mark A. Weisbart Texas Bar No. 21102650 THE LAW OFFICE OF MARK A. WEISBART 12770 Coit Road, Suite 541 Dallas, TX 75251 (972) 628-4903 Phone mark@weisbartlaw.net COUNSEL FOR CHAPTER 7 TRUSTEE

/s/ Eric A. Liepins Eric A. Liepins Texas Bar No. 12338110 ERIC A. LIEPINS, P.C. 12770 Coit Road, Suite 1100 Dallas, TX 75251 (972) 991-5591 Phone eric@ealpc.com COUNSEL FOR DEBTOR

Case 19-42834 Label Matrix for local noticing 0540-4 Case 19-42834 Eastern District of Texas Sherman Fri Sep 3 10:45:50 CDT 2021

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Filed 09/03/21 Entered 09/03/21 11:17:41 Desc Main Doc 101 Hersbecument Page 14 of 14 H. R. Chapin, Attorney & Counselor, PLLC 4301 Alpha Rd. Dallas, TX 75244-4405

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Sidney H. Scheinberg Godwin Bowman PC 1201 Elm Street Suite 1700 Dallas, TX 75270-2041

US Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

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